

REMARKS

Claims 1-3, 5, 6, and 12-17 are pending in the present application. All pending claims stand rejected. Reconsideration of the present rejections of all pending claims is respectfully requested in light of the following remarks.

Claims 1, 3, 5, 6, and 12-17, were rejected under 35 U.S.C. §102(e) as being anticipated by Seta (U.S. Pub. Appl. No. US 2002/0054611). Applicant respectfully traverses this rejection for the following reasons.

Concerning independent claim 1, it is asserted in the Office Action that Seta discloses all of the claimed elements. However, Seta merely discloses a system where a base station controller 1 effects time synchronization of multiple standard CDMA base stations 1 through n (e.g., 2 and 3 in FIG. 1) with transmission lines (e.g. 20, 30) from the base station controller 1. Each base station, however, is part of the same CDMA network and thus they will all transmit at the same frequency, merely with phase offset PN codes (hence the need for the invention of Seta ensuring low cost time synchronization to ensure proper differentiation of offset codes from different base stations). Accordingly, Seta does not teach nor would it suggest “a first device to transmit at a first frequency” and “a second device to transmit at a second frequency” as recited in claim 1.

Moreover, Seta does not teach or suggest the claimed element of “the first PN sequence is generated from equations different from equations used to generate the second PN sequence.” As explicitly stated in paragraph [0004] of Seta, which was even referenced in the present Office Action, “...the pilot PN sequence code string used is itself *the same for each base station*. . .” (Emphasis added). Indeed, if this were not so, the singular format CDMA system of Seta would not function. Merely because the PN sequences are offset by phase does not mean that the PN sequences are different (i.e., generated using different equations). The phase offset of Seta is merely to distinguish base stations having the same PN sequence code, not to differentiate between devices having different frequency transmissions with differently calculated PN sequence codes. Accordingly Seta unequivocally fails to teach or suggest all of the claimed elements of claim 1. Thus, for at least these reasons, Seta does not anticipate or even suggest all of the claimed elements.

**PATENT**

With respect to independent claims 12 and 15, these claims contain elements similar to those discussed above with respect to claim 1. Accordingly, these claims are believed to be allowable over the cited prior art for at least the same reasons presented above.

Claims 2, 3, 5, 6, 13, 14, 16, and 17 were rejected under 35 U.S.C. §103(a) as being unpatentable over Seta in view of Czaja (U.S. Pub. Appl. No. US 2002/0037726).

Applicant respectfully traverses this rejection for the following reasons.

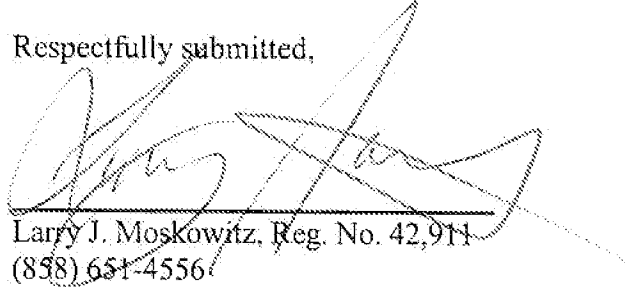
Since Applicant submits that independent claims 1, 12, and 15 are allowable in view of the Seta, claims 2, 3, 5-6, 13-14, and 16-17 depending from these allowable independent claims are also believed allowable for at least the same reasons, as well as on their own merits. Furthermore, Czaja does not make up for shortcomings of Seta, either alone or in combination with Seta. In particular, Czaja merely teaches methods for soft handoff between 2G and 3G systems using neighbor lists and fails to teach or suggest using different equations for the first PN sequence is generated from equations different from equations used to generate the second PN sequence as featured in claim 1. Accordingly, the cited references, whether in combination or taken separately, fail to teach or suggest all the claimed elements of the present dependent claims.

**PATENT**

In view of the foregoing, it is respectfully submitted that all claims of the present application are in condition for allowance. Reconsideration of all of the claims is respectfully requested and allowance of all the claims at an early date is solicited.

Respectfully submitted,

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